

UNITED STATES DISTRICT COURT

Southern District of New York

HARBINGER CAPITAL PARTNERS MASTER
FUND I, LTD., ET AL.

SUMMONS IN A CIVIL CASE

V.

WACHOVIA CAPITAL MARKETS, LLC, ET AL.

CASE NUMBER

07 CIV 8139

JUDGE CHIN

TO: (Name and address of Defendant)

Wachovia Capital Markets, LLC
301 S. College Street
One Wachovia Center
Charlotte, NC 28202BDO Seidman, LLP
Attn: Nancy Berger
1 Prudential Plaza
130 East Randolph STE 2800
Chicago, IL 60601Gregory J. Podlucky
345 Cobblestone Lane
Ligonier, PA 15658Robert B. Lynn
3187 Route 711 South
Ligonier, PA 15658

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael B. Carlinsky
Richard I. Werder
Robert S. Loigman
Susheel Kirpalani
Quinn Emanuel Urquhart Oliver & Hedges, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010

Tel.: (212) 849-7000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 17 2007

CLERK

DATE

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE	September 19, 2007 at 7:30 PM
NAME OF SERVER (PRINT)	TITLE	PROCESS SERVER

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where

*The residence of Gregory J. Podlucky
345 Cobbschone Lane, Ligonier, PA 15658*

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were _____

Returned _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

September 20, 2007

Date

Signature of Server

Thru Walker

1501 Pebble Ave, Pittsburgh PA

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.